

### REMARKS

The present application includes pending claims 21-26, 28 and 29. Claims 21-26 stand rejected. Claim 29 has been allowed, while claim 28 is objected to as being dependent upon a rejected base claim.

Claims 21-26 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-16 of U.S. Patent Application Publication No. 2002/0126103, which is United States Application No. 09/766,000 (the “’000 Application”). The Applicants note that the ‘000 Application was expressly abandoned during prosecution. Thus, the non-statutory obviousness-type double patenting rejection based on the ‘000 Application is moot.

No claim rejections remain. Therefore, claims 21-26 and 28-29 should now be in condition for allowance.

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. The Applicants expressly reserve the right, however, to challenge such statements in the future should the need arise (*e.g.*, if such statements should become relevant by appearing in a rejection of any current or future claim).

The Applicants respectfully request reconsideration of the claim rejections. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney.

No fee is believed due with respect to this Paper. The Commissioner is authorized, however, to charge any necessary fees, or credit any overpayment to Account No. 13-0017.

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Respectfully submitted,  
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